

SENATE BILL REPORT

SB 5970

As Reported by Senate Committee On:
Law & Justice, February 1, 2018

Title: An act relating to the crisis intervention response team pilot project.

Brief Description: Establishing the crisis intervention response team pilot project. [**Revised for 1st Substitute:** Establishing the mental health field response teams program.]

Sponsors: Senators Frockt, Saldaña, O'Ban and Palumbo.

Brief History:

Committee Activity: Law & Justice: 1/29/18, 2/01/18 [DPS-WM, w/oRec].

Brief Summary of First Substitute Bill

- Creates a new grant-funded program based on local partnerships between law enforcement agencies and mental health providers, subject to appropriation.
- Designates the Washington association of sheriffs and police chiefs (WASPC) as the program's implementing agency.
- Directs WASPC to consult with the Department of Social Health and Services' (DSHS) Research and Data Analysis office (RDA), Behavioral Health Organizations (BHOs), and Fully Integrated Managed Care Organizations to develop the program and grants must be awarded by October 1, 2018.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5970 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Angel, Assistant Ranking Member; Frockt and Wilson.

Minority Report: That it be referred without recommendation.

Signed by Senator Darneille.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Melissa Burke-Cain (786-7755)

Background: Community Crisis Response Partnership Programs. Crisis response partnership programs, also called crisis intervention (CI) programs, take a variety of forms tailored to community needs. These programs operate as law enforcement-based community initiatives in partnership with mental health providers. Specialized field officer training is a primary component of these programs. Training helps field officers recognize when an incident response may involve a person who is experiencing a behavioral crisis. Field officers with special training and assistance from mental health professionals use de-escalation techniques to diffuse potentially violent encounters as an alternative to arrest and jail. Law-enforcement based crisis intervention programs are taught in about 12 counties. Not all programs operate the same way. The scope of the programs depends on the particular jurisdiction and the communities' needs.

Law Enforcement Training Requirements. Current Washington State laws require crisis intervention training for full-time law enforcement officers. Officers certified after July 1 2017, must receive eight hours of crisis intervention training as part of the basic academy and two hours of additional online CI training each year. Officers certified prior to July 1, 2017, must complete basic CI training by July 1, 2021. The Criminal Justice Training Commission (CJTC) also offers Advanced CI training as an elective.

WASPC. WASPC started in 1963. Its membership includes executives and managers from law enforcement agencies statewide including sheriffs, police chiefs, the Washington State Patrol, the Washington Department of Corrections, tribal law enforcement officers, and representatives of a number of federal agencies.

The Legislature designated WASPC as a combination of units of local government by statute in 1975. An executive board governs the association. WASPC coordinates many statewide law enforcement activities including maintaining databases and notification systems, administering grant programs, developing model policies, and providing other services and resource materials to law enforcement agencies in the state.

RDA & DSHS. The RDA provides data, analytics, and decision support tools to improve service delivery for human services clients. The RDA typically draws data from automated databases across DSHS and produces cross-program analysis, conducts surveys of clients and providers for quality improvement and strategic planning, and designs and builds analytic research databases for human services programs.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (First Substitute): The mental health field response team grant program is created subject to appropriation. WASPC develops criteria, reviews and certifies grant applications, and awards the grants. The program assists local law enforcement to develop operational capabilities using mental health professionals to assist law enforcement when encountering persons with mental health issues. A portion of the grant funds may also be used to develop data management capability to support the program. The program awards grants based on locally-developed proposals submitted by one or more law enforcement agencies. Proposals must include a plan that modifies or expands law enforcement practices

in partnership with community mental health professionals. WASPC appoints a peer review panel to review proposals in consultation with Fully Integrated Managed Care Organizations and BHOs.

To the extent possible, at least one grantee should be from Western Washington and one from Eastern Washington. WASPC must distribute grant funds by October 1, 2018.

Grantee law enforcement agencies must include at least one community health professional who performs professional services. The mental health professionals may assist patrol officers in the field or on an on-call basis. The mental health professionals may also provide preventive and follow-up services, and may participate in best practices training at the law enforcement agency's direction.

Within existing resources, WASPC must work with the DSHS RDA to set data collection and reporting guidelines for grantees. The data will be used to study and evaluate whether mental health field response teams improve outcomes. WASPC consults with DSHS and the managed care system to develop the required credentials for mental health professionals participating in the program. WASPC supplies an annual report to the Governor and Legislature on the program including the use of funds, participating grantees, mental health provider participation, and grantee feedback.

Grantees are responsible for ensuring that participating mental health professionals have sufficient training to participate in the program. Training should include a working knowledge of law enforcement procedures, policies, and equipment in order to provide safety for mental health professionals, law enforcement personnel, and the public.

EFFECT OF CHANGES MADE BY LAW & JUSTICE COMMITTEE (First Substitute):

- Creates the program as the mental health field response teams program.
- Designates WASPC as the agency that develops grant criteria, reviews and certifies that grant criteria, and awards and distributes the grants.
- Directs WASPC to consult with DSHS's RDA, BHOs, and Fully Integrated Managed Care Organizations to develop the program.
- A portion of the grants may be used to develop data management capability to support the program.
- Grants must be awarded by October 1, 2018.
- Bill's title changed from "crisis intervention response team pilot program" to "mental health field response teams program."

Appropriation: None.

Fiscal Note: Requested on January 26, 2018.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Proposed Substitute: *The committee recommended a different version of the bill than what was heard.* PRO: During the interim we worked with stakeholders and had an opportunity to participate in a ride along with the Seattle Police Department (SPD) to see how its program worked in the field. In the SPD program, mental health professionals are on dispatch and may be called out to very difficult situations where, for example, there is conflict in the home, or a threatened suicide. The law enforcement officers are in charge at the scene of the incident, but the mental health professional's role is very important. The SPD model may not be what is needed in Tacoma, or Spokane, or Orting, but an important aspect of this bill is the flexibility it gives the law enforcement agency to structure its grant proposal, and the participation of mental health professionals, to meet the needs of the agency and the community. We strongly support this bill. Mental health is quickly becoming Washington's number one public safety issue. This program will provide help to those who need help. Being a person in a mental health crisis is not a crime. Rather than arrest and jail, we want to give people the help that they need.

Persons Testifying: PRO: Senator David Frockt, Prime Sponsor; James McMahan, Washington Association of Sheriffs & Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.